

Pike Panel Votes to Take



Associated Press

Rep. Pike: Delivery of some data is "showbiz."

By George Lardner Jr.
Washington Post Staff Writer

The House intelligence committee, denouncing the administration's failure to comply with its subpoenas, voted 10 to 3 yesterday to carry its fight for classified government documents to the House floor.

If its resolution ordering Central Intelligence Agency Director William E. Colby to comply "forthwith" with an overdue committee subpoena is adopted by the full House, it would be the first step toward a possible contempt-of-Congress citation for Colby.

At a public meeting yesterday morning, committee Chairman, Otis Pike (D-N.Y.), assailed a proposed White House "compromise" as completely inadequate and said it laid down restrictions on access to information that had not even been suggested before.

The White House proposal not only would give President Ford the last word on declassifying secret documents, but it also spelled out various categories of information that would not be supplied to the committee at all, even if it promised to keep that information secret.

"I think we're in a Catch-22 situation," Pike said. "They're willing to be very reasonable about what we release to the public if they don't give us much to release to the public."

Drafted after a meeting in the Oval Office last Friday between President Ford and House leaders, the White

House proposal described the secrets to be withheld from the committee under any circumstances as "narrow exceptions."

But the committee's staff director, A. Searle Field, said it would stymie a number of investigations that have already been launched and would seriously restrict the overall inquiry.

Rep. Robert Giaimo (D-Conn.), who offered the resolution seeking the support of the full House, said he was not at all certain about the outcome, but thought it was about time to find out.

If the House is unwilling to back the committee, he said, "Let's hang it up right now and tell the American people we are incapable of conducting a real investigation... Let's hang it up and let them (U.S. intelligence agencies) run rampant."

The committee's ranking Republican, Rep. Robert McClory (Ill.), agreed that the White House plan was inadequate, but said he thought it premature to seek a showdown. He argued, unsuccessfully, that the committee staff should first draft a counter-offer for the administration to consider instead of rushing to the House floor and a possible defeat.

In the committee vote, however, only Reps. David Treen (R-La.) and Dale Milford (D-Tex.) lined up with McClory. The other two Republicans on the 13-member panel, Reps. Robert Kasten (Wis.) and

Data Fight to House Floor

James P. (Jim) Johnson (Colo.), voted with the majority.

The subpoena involved was issued Sept. 12 and called on Colby to produce by Sept. 17 various documents concerning the Communists' 1968 Tet offensive in South Vietnam and the alleged distortion in previous months of intelligence estimates of enemy strength.

White House aides quietly delivered a box containing some of the documents to the committee yesterday morning while presidential counselor John O. Marsh hovered in a hallway outside, but all of these had been completely declassified.

Staff director Field told the committee that the documents had already been censored and contained numerous deletions. He added that one subpoenaed record had not been produced at all—an "eyes only" cable via CIA channels that then ambassador to South Vietnam, Ellsworth Bunker, sent White House national security adviser Walt Rostow on Oct. 28, 1967.

Asked what he thought of the last-minute delivery, Pike

dismissed it as "showbiz." He said the subpoena had yet to be honored.

Committee counsel Aaron Donner said the types of information the White House proposed to withhold from the committee altogether were "incredibly broad." They would include:

- The identities of secret agents, sources and persons and organizations involved in operations which (if disclosed) would be subject to personal physical danger, or to extreme harassment, or to economic or other reprisals.

- "Material provided confidentially by cooperating foreign intelligence services."

- "Diplomatic exchanges or other material, disclosure of which would be embarrassing to foreign governments and damaging to the foreign relations of the United States."

- "Specific details of sensitive intelligence methods and techniques of collection."

- "Other matters, the complete confidentiality of which the President personally certifies is essential to the effective discharge of presidential powers..."

The White House "discussion draft" on the plan said the exceptions would not be used to suppress "materials concerning alleged impropriety by an executive agency or alleged criminal activity," but Pike said he knew no satisfactory way of guaranteeing this. He said he wanted no part of an arrangement whereby only he and McClory would be privately told of certain secrets—an arrangement that Chairman Frank Church (D-Idaho) of the Senate intelligence

committee and its ranking republican, Sen. John Tower (Tex.), have been working under for months.

Pike said he had "a great problem" with the idea that only the chairman and ranking minority member of a congressional committee can be trusted.

Beyond that, he told McClory that even if the two of them, on hearing certain secrets, agreed that they should be shared fully, "the committee would not get them."